

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

“ROCKY” ROQUE DE LA FUENTE GUERRA,

Plaintiff,

vs.

1:16-cv-00393-RB-LF

MAGGIE TOULOUSE OLIVER,
New Mexico Secretary of State,

Defendant.

**ORDER DENYING MOTIONS TO QUASH
SUBPOENAS AND FOR PROTECTIVE ORDERS**

THIS MATTER comes before the Court on defendant’s Motion to Quash Subpoena of Kari Fresquez and for a Protective Order (Doc. 44) and defendant’s Motion to Quash Subpoena of Shawn Wilmoth and for a Protective Order (Doc. 46). For the reasons discussed at the hearing held on May 2, 2017, the Court finds that the motions are not well-taken and they will be DENIED.

IT IS THEREFORE ORDERED that the deposition of Kari Fresquez will take place on the date to which the parties originally agreed: May 4, 2017 at 3:30 p.m. The deposition will be limited to two hours.

THE COURT FINDS that it lacks authority to quash the subpoena of Shawn Wilmoth. A motion to quash must be filed in “the district where compliance is required,” FED. R. CIV. P. 45(d)(3)(A), which in this case is Philadelphia, PA.



Laura Fashing
United States Magistrate Judge